App. F. IX-4

Previous References

1928-9
(Mwz)

File No. 134-28

Serial Nos. 1-2

Later References

Mwz 174 34-1 2
Mwz 211-[illegible]
Mwz 141 35 1-4

General and Revenue Secretariat.

Serial Nos. 1-2

Part B for Feb 29.

SUBJECT

Alterations in the Rev + Inam records in respect of landsendowed to Sri Nanjundesmaraswamy temple at Nanjangud for Kamtu Service.

To
The Mwz Comr
The Rev Comr
The Comptroller
The Supdt Rev Survey

No. 1528-31 of 2-2-29

Approves of the Mwz Comrs recom

[illegible] 19/3/29

G. R. S. APP F.III—1] 1928.

GENERAL AND REVENUE SECRETARIAT.

(Muzrai)

NOTES.

File No. 134/1928

FILE HEADING.

Alterations in the Rev. and inam records in respect of lands endowed to Sri Nanjundeswara Swamy temple at Nanjangud for Kambi Service.

FROM

The Muzrai Comr.

No. 861 Dated 12.12.28 Received

Diary No. 876	Enclos. — Spare copies —	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Reports that the parties in possession of temple lands (S. no. 174 – Sirkar – and S. no. 175 – inam –) have been in adverse possession of the lands for the last 45 years paying nothing to the instn., that the 2d. proviso to Sec. 10 of the Regulation of 1927 applies to this

NOTES AND ORDERS.

case, and recommends sanction to the D. C's proposal to cancel the inam tenure, and levy full assessment under L. R. C., and to make needful alterations in the Rev & inam records

NOTES—First Sheet.

Serial No.

The M.C's letter explains the facts of the case.

A dft. calling for the inam extract of S no. 175, is submitted for appl

AV
8-1-29.

In view of the opinion as to adverse possession expressed by the D.C and concurred in by the Chief Secy, it seems unnecessary to call for inam extract. The lands are said to be in the enjoyment of the parties without any payment to the temple for more than 12 years. In accordance with the recent decision of the Chief Court referred to in another case by the Law Secy, it seems that the action taken by the D.C recommended by the M.C may be approved.

A.

(Sd/ Member)

A. Dagree

MWZ
23-1-29

Dwft

MWZ
28/1

Mr. G.O. Submitted

AV
26-1-29

MWZ
28/1

MWZ
28/1

NOTE—Contn. sheet

General and Revenue Secretariat

Mur File No 134

App. F. III—2]

of 1928.—29

Serial No. 2

To Mur Comr, Rev Comr, Compts & Supt, Rev Sur & Settlements

No 1528 - 31 dy 2 . 2 . 29

[illegible]

B
Um
14/3

B

NOTE—Contn. sheet

WD 021—GPB—30,000—21-8 28

No. 861 Ry File 28-9

Muzrai
OFFICE OF THE ~~REVENUE~~ COMMISSIONER
IN MYSORE.

Bangalore,.....10th December.....*192* 8
12

FROM

P. G. D'SOUZA, ESQ., B.A., B.L.,
Muzrai
~~Revenue~~ *Commissioner in Mysore.*

FIN & REV SECRETARIAT
13 DEC 1928
MUZRAI
D876

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

FINANCIAL SECTION
No. 90

Mus 134-28-1

SIR,

I have the honor to forward herewith copy of letter No.C.685-28 Muz.dated 19th November 1928 together with the file of vernacular --- papers from the Deputy Commissioner, Hassan District, requesting that sanction of Government may be obtained to make the needful alterations in the Revenue and Inam records in respect of the marginally noted -

S.No.		Extent.	Assessment.	
174	wet	3-14	24- 0- 0	lands originally -- endowed to the temple of Sri Srikanteswara swami at Nanjangud -
175/ Devadaya	wet	4-17	31-12- 0	
	dry	0- 6	0- 4- 0	
		Jodi Rs.20-0-0		

and that the inam tenure of the latter was ordered to be cancelled by him and full assessment due to Government levied under the Land Revenue Code.

2. The reports submitted by the Amildar and the Sub Division Officer and the Deputy Commissioner's letter under reference explain the facts of the case in sufficient detail. The parties in question have been in adverse possession of the lands for the last 45 years paying nothing to the institution and hence there is absolutely no doubt that the 2nd proviso to Sec.10 of the Mysore Religious and charitable institutions - Regulation, 1927 applies to this case. The scope of the Chief Commissioner's Notification of 17th November 1877 is now restricted ~~the~~ to -- alienations made prior to 31st January 1853 and consequently it cannot be made applicable to the case now under consideration. The order -- passed by the Deputy Commissioner in accordance with proviso (2) to -- Sec.10 is correct and I beg therefore to recommend that the Deputy ---

Deputy Commissioner's proposal to make the needful alterations in the revenue and inam accounts may be approved.

I have the honor to be,

Sir,

Your most obedient servant,

Rao Narasimha Aiyangar

for Assistant Commissioner
Muzrai Commissioner.
(absent from station)

Letter No.C.685/ dated 19th November 1928 from the Deputy Commissioner, Hassan District to the Muzrai Commissioner in Mysore.

Re concellation of Inam tenure of S.Nos.142 and 143 of Basavapatna, Arkalgud Taluk endowed to Sri Nanjundeswara Swami, at Nanjangud.

In enclosing herewith the records connected with the above subject, I have the honor to state as follows:-

S.Nos.142 and 143 of Basavapatna village, Arkalgud Taluk, had been endowed to Sri Nanjundeswaraswami at Nanjangud for Kambi service. In 1894 one Basamma of Kambi Koppal, Arkalgud Taluk, complained that the lands were being enjoyed by her family, who were doing kambi service, that after the death of her husband she had leased out some of the lands to Kattalu Nanjappa, Kada Setti and Chandevara Setti about 10-12 years ago, that the heirs of the lessees were enjoying the lands unanthorisedly and had --- refused to give possession of the lands to her, and prayed that the lands may be caused to be given to her possession.

The case had been under enquiry ever since, the lands having in the meanwhile passed from hand to hand, some of the present holders being purchasers from previous occupants.

Bhoganna, chandra Setti and Chikka Basetti who were examined on 4th March 1897 stated that they were enjoying the lands from father to son from a very long time, but that they did not know how they came by the lands. They, however, produced kandayam receipts beginning from the year Swabhanu (ಸ್ವಭಾನು) i.e. about 12 years prior to 1894, or about 46 years prior to the present period. They had no other documents.

Basamma was also examined, and she deposed to the facts stated -- in her petition.

The Inam Superintendent who was addressed in the matter in 1908 informed that the lands were confirmed in the name of the Deity at the time of the inam Settlement and that there was no objection for taking needful action according to rules.

Notices have again and again been issued to the persons in possession, directing them to deliver the lands to Government and the parties - have repeatedly represented that they are enjoying the lands since - a number of years, and that there was no reason why they should relinquish the lands which were their own and not the temple's.

At present, S.No.142 was reported to be in the enjoyment of Patel Vishakanta Gowda, Hanyal Naranappa, and Mr. Govinda Rao and S.No.143

with

with Chandyavara Setti, Giriyamma, Patel Vishakante Gowda and setti. Of these persons Vishakante Gowda, Naranappa and Chandyavara Setti have been examined in 1923 and they have refused to restore -- the lands. A letter was written in 1925 to Mr. Govinda Rao, retired Dewan of Indore to his address at Dewas, but on reply has been received.

It was also reported by the temple authorities that there was no records to show that the temple was at any time ~~recoveryin~~ receiving any benefit from the inam lands, and apparently the lands are being enjoyed since 10-12 years proor to 1894 by a series of persons, only on payment of the kandayam due to Government.

It is also seen from the records that kambi Devaru is not being worshipped now, and that kambi Koppal is at present a Becharak village.

As the records disclosed that this was a case in which the occupants had adverse possession of the lands for over 12 years prior to the -- passing of the Muzrai Regulation of 1927, in accordance with the proviso to Sec: 10 of the said Regulation, I have ordered that the inam tenure be cancelled and full assessment due to Government under the Land --- Revenue Code be levied.

I, therefore, request you to be so good as to obtain sanction for making the needful alterations in the Revenue and Inam accounts.

"Copy"

For Muzrai Commissioner.

[illegible]

[illegible]

[illegible]

[illegible] 175 [illegible] 4-17 [illegible] 31-12-0

[illegible] 0-6 | 0-4-0

4-23 | 32-0

[illegible] 20-00 | 2-00 | 1-15-9 | 1-00

[illegible] 24-15-9

[illegible]

1 [illegible] 6-

[illegible]

2 [illegible] 2

3 [illegible] 7-

[illegible]

4 [illegible] 7-

[illegible] 24-

[illegible]

[illegible]

[illegible]

174 [illegible] 3-14 [illegible] 24-[illegible]

[illegible] 1-8-0

[illegible] 0-12-0

26-4-0

1 [illegible]

2 [illegible]

3 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

[illegible] 18-12-27

G.R.S. VI G 34]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section Mus

File No. 134-29

Serial No. 2

General and Revenue Secretariat

( )

, *the* 192 .

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue.... 2/9/09

Signed by: [illegible]

Read—

Letter no 861 Dy. 12 from the M C in Mysore reporting that the occupancy of the marginally noted lands originally endowed to Sri Srikanteswara Swamy temple at Nanjangud for kamaisevice, have been in adverse possession thereof for the last 45 years [illegible] to the institution [illegible] prior to the passing [illegible] the Can therefore falls under the [illegible] of the Mus Regn of 1921 ~~in accordance with the proviso to Sec. 10 of the Said Regulation~~, ~~[illegible]~~ that the D.C.'s order to [illegible] the inam service [illegible] passed in accordance [illegible] very full

Order Thereon No.

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ? 2nd proviso to Sec

S. no	extent a f	assessment Rs
174 (wet)	3-14	24-00
175/-do-	4-17	31-12 0
Denadaya-dry	0-6	0-4 0

Jodi [illegible] 20/[illegible]

due to Govt. on these lands, under the R. Code is correct, in recommending that the ...'s proposal to make the needful alterations in the Rev. and Inam records in respect of these lands may in the circumstances be approved.

Print.

Order 1528-31 & 2-2-29

one file M.C

Approved.

List of enclosures.

2571

Fin. Secty

Copied by

Examined by

WD 1888—GPB—1,000,00—21-12-21

Copy to Rev. Dr.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

Letter No. 861 dated the 12th December 1928 from the Muzrai Commissioner in Mysore reporting that the occupants of the marginally noted lands originally endowed to Sri Srikanteswaraswamy temple at Nanjangud for Kambi service have been in adverse possession thereof for the last 45 years paying nothing to the institution and the case therefore falls under the Second proviso to Section 10 of the Muzrai Regulation of 1927, that the Deputy Commissioner's Order to cancel the Inam tenure passed in accordance therewith and to levy full assessment due to Government on these lands under the Land Revenue Code is correct, and recommending that the Deputy Commissioner's proposal to make the needful alterations in the Revenue and Inam records in respect of these lands may, in the circumstances, be approved.

S.No.	Extent a	Extent g	Assessment
174 (wet)	3	14	Rs. 24- 0-0
175 (wet)	4	17	" 31-12-0
Devadaya (dry)	0	6	0- 4-0
Jodi			20- 0-0

Order No. 1528-31/Mez 134-28-2

Dated, Bangalore, the ~~29th January~~ 2nd February 1929.

A p p r o v e d .

[signature]
In Secretary to Government,
Financial Department.

To

The Muzrai Commissioner in Mysore, Bangalore.
The Revenue Commissioner in Mysore, Bangalore.
The Comptroller to the Government of Mysore.
The Superintendent, Revenue Survey and Settlements.

C.R.G. 7.